

REMARKS/ARGUMENTS

Claims 1-10 and 12-17 remain in the application. No new matter has been added. Reconsideration of this application is respectfully requested.

Claim Rejection - 35 U.S.C. § 103:

Claims 1, 2, 6, 7, 8, 9, 10, 13, 14 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa et al (US 5,666,655) in view of Ueda (US 5,606,727).

None of the cited references taken individually or in combination teach or suggest that which is claimed in claim 1.

Applicant teaches and claims in (d):

“when a determination is made that the two or more groups should be reconfigured to allow a reduction in collisions on a communication channel, reconfiguring the grouping of radios based on the communication connection statistics gathered in step (b), wherein the communications connection statistics are used to determine the reconfigured radio groupings and wherein each of the reconfigured radio groupings are arranged to share different respective communication channels without removing radios from the system and without reducing the number of channels used amongst the groups.”

The Examiner concedes on page 4 of the Office Action dated Nov. 6, 2007 that Ishikawa does not disclose this aspect of Applicant's invention.

The Examiner, referring to col. 7, lines 33-47, states that Ueda teaches when a determination is made that two or more groups should be reconfigured to allow a reduction in collisions on a communication channel without removing radios from the system. Applicant has carefully read col. 7, lines 33-47 of Ueda and respectfully disagrees with the Examiner.

Ueda does not teach or suggest “reconfiguring the grouping of radios.” Ueda specifically recites “...channels for assignment are rearranged into ascending order and assigned to groups of mobile stations” and “further recites different channels are assigned to groups of mobile stations.” Rearranging channels (Ueda) is not the equivalent to reconfiguring radio groupings (Applicant's claim 1).

Additionally, the Examiner also states on page 5 of the Office Action, that the term “rearranging” used by Ueda infers “not reducing.” However, Applicant does not assert that the definition of the term “rearranging” is at issue in this case. Rather, the point that Applicant wishes to make is that Ueda does indeed use fewer shared channels as specifically recited in col. 7, line 37. A closer reading of col. 7, lines 33-47 shows that channels for assignment are rearranged into an ascending order of upstream interference signal levels, and divided and assigned to groups of mobile stations and then “[C]onsequently, by assigning fewer shared channels to mobile stations....” Applicant’s claim 1 recites “... reconfigured radio groupings... without reducing the number of channels used amongst the groups.”

The Table below provides a Summary of the discussion presented above.

UEDA	APPLICANT
Sort on RSS	Obtain channel statistic
<u>Assign</u> radios to groups	<u>Reconfigure</u> radio groupings to reduce collisions, keeping <u>same</u> number of channels
Assign channels to radios in each group to reduce collisions (by using <u>fewer</u> shared channels)	

Applicant has provided below a series of examples that are believed to facilitate the review of the Ueda reference.

Example 1: Suppose Ueda has the following system, distribution of radios and channels:

Group A - Radios 1, 2, 3 - Channels 1 and 2
 Group B - Radios 4, 5, 6 - Channels 3 and 4
 Group C - Radios 7, 8, 9 - Channel 5

Now to reduce the number of shared channels in Group C (Ueda adds channels to reduce the collisions without adding channels to the other groups):

Group A - Radios 1, 2, 3 - Channels 1
 Group B - Radios 4, 5, 6 - Channels 3
 Group C - Radios 7, 8, 9 - Channel 5 and 2 and 4

This will reduce the number of collisions in Group C but it's likely to increase the collisions in Groups A and B.

Example 2:

On the other hand, if Ueda does not consider a reduction in shared channels for a particular group, that is to say that there are fewer shared channels system wide, Ueda will have to ADD channels (example 2) OR remove radios (example 3) to reduce the number of collisions. Here's an example of reducing the number of "shared" channels (by adding more "system-wide" channels):

Group A - Radios 1, 2, 3 - Channels 1 and 2 and 6

Group B - Radios 4, 5, 6 - Channels 3 and 4 and 7

Group C - Radios 7, 8, 9 - Channel 5 and 8

Example 3:

Here is an example of reducing the number of collisions (by reducing the number of radios):

Group A - Radios 1, 2, [3] - Channels 1 and 2

Group B - Radios 4, 5, [6] - Channels 3 and 4

Group C - Radios 7, [8], [9] - Channel 5

Therefore, under any of the scenarios Ueda might encompass, none provide that which is claimed by Applicant's invention in the independent claims.

Claims 2, 6, 7, 8, 9, 10, 13, 14 and 16 provide further limitations to what is believed to be allowable claim 1 and hence are also in condition for allowance. Claims 3-5, 8, 12, 15, and 17 depend either directly or indirectly on claim 1 and hence are also in condition for allowance. None of the cited references taken individually or in combination teach that which is claimed by Applicants' invention.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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